THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12581 of 2004

Dated:11.07.2007

Between
Yousuf Ali

.....Petitioner

and

1.The Assistant Divisional Engineer,
District XX1 City-II, APCPDC
Ltd., Chandulal Baradhari, Hyderabad
and others.

...Respondents

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W.P.No.12581 of 2004

ORDER:

This writ petition is filed at the time when power supply to the domestic service to House bearing No.20-5-137, Shahalibanda, Rooplal Bazar, Hyderabad was being disconnected.

It is the case of the petitioner that he has electricity connection to his residence under consumer No.M,3002167, A.O.No.200502 and has been paying the municipal bills regularly as furnished by the department without any delay. While that being so, on 10.09.2003 the electric meter in his residence got short circuited, which resulted in stoppage of electricity

supply. Therefore, he made a complaint over Phone on 11.9.2003 and the electricity personnel attended to the complaint, rectified the defect and power supply was restored. After rectifying the defect, the Lineman made an endorsement that they removed the seals of the meter with seal No.50308-B for rectification purposes. The petitioner requested the respondents to change the meter and to take necessary action at the earliest. The respondents failed to do so. Therefore, he made a written complaint on 22.9.2003 addressed to the respondents to rectify the defect. Finally, the old meter was replaced with new meter without giving any intimation and without any notice to him. Thereafter, the respondents noted old meter reading as 1188 units and the same was carried out in the immediate electricity bill issued in the month of 8.3.2003 deducting the new consumed 32 units and the same was reflected in the bills also and the bill amount was paid. While that

being so, the respondents have resorted to disconnect the supply suddenly from 15.7.2004 without giving any notice and without furnishing any reason for the same. Therefore, the writ petition.

Learned Standing Counsel for the respondents submits that since the petitioner indulged in pilferage of energy, pending provisional and final assessment, the electricity connection to the residence of the petitioner was disconnected.

It is an admitted fact that no notice of any kind was issued to the petitioner before resorting to disconnect power supply to the residence of the petitioner. Hence,

I am of the opinion that the action of the respondents is arbitrary and illegal.

Therefore, the writ petition is allowed. However, the respondents are directed to supply uninterrupted power to the residence of the petitioner during pendency of the provisional and final assessment to be made

by the respondents-authorities.

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11-07-2007

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